

ORIGINAL

CLERK US DISTRICT COURT
NORTHERN DIST. OF TX
FILED

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

DEPUTY CLERK

JOSE CARLOS VELEZ-COLON,

Plaintiff,

vs.

[1] CREDIT PROTECTION ASSOCIATION I, INC.,
a Texas Corporation; and,
[2] DOES 1 through 100 inclusive

Defendants.

) Case No.

) **3-11CV-570-B**

) **JURY TRIAL DEMANDED**

COMPLAINT

TO THE HONORABLE COURT:

NOW COMES Plaintiff, Jose Carlos Velez-Colon, pro se, and respectfully states and prays
as follows:

Introduction

1. Plaintiff Jose Carlos Velez-Colon is a consumer who has been subjected to Defendants' violations of the Fair Debt Collection Practices Act (FDCPA), 15 U.S.C. § 1692, *et seq* and Fair Credit Reporting Act (FCRA), 15 U.S.C. The FDCPA prohibits debt collectors from engaging in abusive, deceptive, unfair, and illegal collection practices; and the FCRA prohibits persons from obtaining and using consumer reports from consumer reporting agencies without a permissible purpose or without proper certification.

Jurisdiction and Venue

2. This Court has federal question jurisdiction under 28 U.S.C. § 1331.
3. Declaratory relief is available under 28 U.S.C. §§ 2201 and 2202.
4. Venue is proper in this district under 28 U.S.C. § 1391(b)(1) because all defendants are resident of this Judicial District.

Parties

5. Plaintiff Jose Carlos Velez-Colon (Plaintiff) is a "consumer" as that term is defined by § 1692a(3) of the FDCPA.
6. Defendant CREDIT PROTECTION ASSOCIATION I, INC. (hereinafter referred to as "CPA").
7. CPA's principal place of business is located at 13355 NOEL RD STE 2100 DALLAS, TX 75240-6837. It's registered agent for service of process is ANN E LEVINE, located at 13355 NOEL ROAD, SUITE 2100 DALLAS, TX 75240.
8. Defendant DOE 1 is a law firm engaged in the business of collecting debts in Texas.
9. Plaintiff is not aware of the true names and capacities of the defendants sued as Does 1 through 100, inclusive, and therefore sue these defendants by such fictitious names. Each of these fictitiously named defendants is responsible in some manner for the activities alleged in this Complaint. Plaintiff will seek leave of Court to amend this Complaint to replace the fictitious names of these entities with their true names when they are discovered.
10. Each of the aforementioned Defendants is responsible in some manner, either by act or omission, strict liability, fraud, deceit, fraudulent concealment, negligence, respondeat superior, breach of contract or otherwise, for the occurrences herein alleged.

11. At all times material hereto and mentioned herein, each of the Defendants sued herein was the agent, servant, employer, joint venturer, partner, division, owner, subsidiary, alias, aider and abettor, assignee and/or alter-ego of each of the remaining Defendants and was at all times acting within the purpose and scope of such agency, servitude, joint venture, division, ownership, subsidiary, alias, assignment, alter-ego, partnership or employment and with the authority, consent, approval and ratification of each remaining Defendant.
12. At all times herein mentioned, each Defendant was acting in concert or participation with each other, and/or aided and abetted the other Defendants, and/or was a joint participant and collaborator in the acts complained of, and/or was the agent or employee of the others in doing the acts complained of herein, each and all of them acting within the course and scope of said agency and/or employment by the others, each and all of them acting in concert one with the other and all together.
13. Each Defendant was the co-conspirator, aider and abettor, agent, servant, employee, assignee and/or joint enture of each of the other Defendants and was acting within the course and scope of said conspiracy, agency, employment, assignment and/or joint venture and with the permission and consent of each of the other Defendants

FACTUAL ALLEGATIONS

14. Upon information and belief, Defendants' principal purpose is the collection of debts using the mails and telephone.
15. Upon information and belief, Defendants regularly attempts to collect debts alleged to be due another using the mails and telephone.
16. Defendants are a "debt collector," as defined by FDCPA § 1692a(6).

17. On or about July 2011, mailed a letter to Plaintiff demanding payment of \$200 that was allegedly owed to San Juan Cable, LLC d/b/a OneLink Communications.
18. . The alleged debt that Defendants sought to collect from Plaintiff is a "debt," as that term is defined by § 1692a(5) of the FDCPA.
19. Since July 2011, Defendants mailed several letter to Plaintiff demanding payment that was allegedly owed to San Juan Cable, LLC d/b/a OneLink Communications.
20. The alleged debt that Defendants sought to collect from Plaintiff arose out of transactions that were incurred primarily for personal, family, or household purposes.
21. Defendants represented to Trans Union, a "consumer reporting agency," as that term is defined at 15 U.S.C. § 1681a, that they were a "Collection Agency Attorney." EXHIBIT I at 3.
22. Defendants reported the following information to Trans Union:

3/4/2011	TransUnion		
CREDIT PROTECTION ASSOC #821199001299****			
13355 NOEL RD STE 2100 DALLAS, TX 75240 (972) 233-9614	Balance: \$198 Date Updated: 02/2011 Original Balance: \$198 Original Creditor: 11 ONELINK COMMUNICATIONS Past Due: >\$198<	Pay Status: Account Type: Responsibility:	>Collection Account< Open Account Individual Account
Loan Type: Collection Agency Attorney Remark: >Placed for collection< Date placed for collection: [07/2010] Estimated date that this item will be removed: 05/2017			

23. Defendants knowingly reported to Trans Union that they were attorneys who were collecting a debt from Plaintiff.
24. CPA is not a "collection agency attorney." CPA is not a law firm.
25. CPA is a general corporation, not a professional corporation, organized under the laws of Texas.

COUNT I

Violations of § 1692e, f, and g of the Fair Debt Collection Practices Act, and their subsections

26. Plaintiff restates, realleges, and incorporates herein by reference all foregoing paragraphs as if set forth fully in this Count.

27. FDPCA § 1692e provides, in relevant part.

A debt collector may not use any false, deceptive, or misleading representation or means in connection with the collection of any debt. Without limiting the general application of the foregoing, the following conduct is a violation of this section ...

(3) The false representation or implication that any individual is an attorney or that any communication is from an attorney.

** * **

(10) The use of any false representation or deceptive means to collect or attempt to collect any debt or to obtain information concerning a consumer.

28. Defendants' negative report to Trans Union, Exhibit I at 3, was an attempt to collect a debt from Plaintiff.

29. On information and belief, Defendants continuously and systematically represent to consumer reporting agencies, such as Trans Union, that Defendants are attorneys at law and licensed to practice the law.

30. On information and belief, Defendants use a mechanized, computer-driven process to make this report to Trans Union.

31. Most variable information (such as the name of the creditor, the alleged amount due, and the name of the consumer) is inserted into pre-defined fields by a word processor or other computer-driven document-assembly software.

32. On information and belief, the information fed into the pre-defined fields is derived from a magnetic tape or other electronic-transfer means without the need for Defendants or any employee of Defendants to actually manually enter or review the data.

33. Upon information and belief, the information to be inserted in these fields is sent to Defendants *en masse*, as electronically stored information, via modem or other computer-

readable format, or is manually input by clerks employed by or acting on behalf of Defendants.

34. The reports are then created directly from this electronically stored information.
35. Defendant CPA does not act as a law firm or as attorneys in any meaningful sense of the word.
36. Defendant DOE 1 does not act as an attorney in any meaningful sense of the word.
37. On information and belief, no attorney meaningfully reviews or authorizes any particular letters sent to Plaintiff (or other consumers) before it is sent.
38. The only possible attorney involvement is that someone may review the form of letter sent and define some general parameters as to the intended recipients.
39. Then, the process is delegated to a computer and clerical workers employed by or acting on behalf of Defendants.
40. Defendants violated Sections 1692e, 1692e(3) and 1692e(10) of the FDCPA by falsely representing to Trans Unions that they were an attorney or law firm with the intent to use deceptive means, a negative report in Plaintiff's report, to attempt to collect a debt from Plaintiff or to obtain information concerning Plaintiff.
41. No attorney meaningfully reviews the file, makes determinations about the legal validity of the debt or interacts with the consumer before the report to Trans Union was sent.
42. Defendants masquerades as a "Collection Agency Attorney" to use the power and leverage of an attorney status to collect debts from consumers.
43. Through the use of such reports to Trans Union, Exhibit I at 3, Defendants deceptively imply to the least sophisticated consumer that an attorney is meaningfully involved in collecting on his or her account.

44. Because Defendants jointly and severally violated the FDCPA, Vargas is entitled to damages in accordance with the FDCPA.

COUNT II

Defendants' Violations of §1692e, e(5) and e(10)

45. Collection letters and reports, such as those sent by Defendants to Plaintiff since July 2010, are to be evaluated by the objective standard of the hypothetical "least sophisticated consumer."
46. Section 1692e of the FDCPA states that a debt collector cannot "use any false, deceptive, or misleading representation or means in connection with the collection of any debt."
47. Sections 1692e(5) and e(10) state that a debt collector cannot "threaten to take any action that is not intended to be taken" and cannot use "any false representation or deceptive means to collect or attempt to collect any debt."
48. Section 807(5) of the Federal Trade Commission commentary to the FDCPA states in relevant part that:
- A debt collector may not state or *imply* that he or any third party *may* take any action *unless* such action is legal and *there is a reasonable likelihood*, at the time the statement is made, that such action will be taken. A debt collector may state that certain action is possible, *if it is true* that such action is legal and *is frequently taken* by the collector or creditor *with respect to similar debts*;; however, if the debt collector has reason to know there are facts that make the action unlikely in the particular case, *a statement that the action was possible would be misleading*.
49. A debt collector's *implication*, as well as a direct statement, of planned legal action may be an unlawful deception. For example, *reference to an attorney or to legal proceedings may mislead the debtor as to the likelihood or imminence of legal action*.

50. Lack of intent may be inferred *when, as here, the amount of the debt is so small as to make the action totally unfeasible* or when the debt collector is unable to take the action because the creditor has not authorized him to do so.
51. On information and belief, Defendants mailed letters and negative reports to Plaintiff without any appraisal being made, at the time of mailing, to determine whether litigation on the alleged debt should be recommended.
52. The forms letters mailed to Plaintiff since July 2010 were mailed to other consumers in a computer-generated series of letters, based upon the type of collection package purchased.
53. On information and belief, at the time that Defendants reported to Trans Union that they were a "collection agency attorney," Defendants did not intend to litigate the alleged debt and in fact, performed no meaningful review of the debt necessary to form such an intention.
54. On information and belief, at the time that Defendants reported to Trans Union that they were a "collection agency attorney," Defendants' practice was not to earnestly recommend that the creditor pursue litigation.
55. Defendants' business practices, as described in the preceding paragraphs, violate the FDCPA because it threatens the least sophisticated consumer with the imminent likelihood of a lawsuit when such action is not intended to be taken nor likely to ever be taken.
56. Defendants' report to Trans Union to the effect that they were a "collection agency attorney," violates the FDCPA in that it is Defendants' practice to engage in willful misrepresentations thought reports or letters: (1) regardless of the size of the debt; (2) in spite of the impracticability of the creditor commencing litigation; and (3) regardless of

whether the creditor has authorized Defendants or any other attorneys to proceed with a lawsuit based upon Defendants' recommendation.

57. Defendants' act of reporting that they were a law firm or attorney and the form letter sent to Plaintiff since July 2010, violates FDCPA §§ 1692e, e(5), and e(10) in that it attempts to create the belief in the least sophisticated consumer that there is a realistic likelihood he or she will face imminent litigation.

58. Defendants are liable to Plaintiff for violating FDCPA §§ 1692e, e(5), and e(10).

COUNT III

Violations of §1692g-- Overshadowing

59. Section 1692g of the FDCPA either requires that a debt collector include a validation notice with, or send it within 5 days of, the initial communication from the debt collector to the consumer.

60. This notice is intended to advise the consumer as to certain federal rights in connection with a procedure under which a consumer may dispute a debt, request verification of a debt, or obtain certain information about the creditor within 30 days after receipt of the notice.

61. Under federal law, this validation notice must be effectively communicated, and may not be overshadowed, confounded or diluted as seen from the perspective of the least sophisticated consumer.

62. Defendants violated Section 1692g of the FDCPA and overshadowed, confounded and diluted the thirty-day validation notice by demanding immediate payment, under threat of litigation, within the thirty-day validation period.

63. Defendants are liable to Plaintiff for violating § 1692g of the FDCPA.

COUNT IV

**DEFENDANTS OBTAINED PLAINTIFF'S CONSUMER REPORT
WITHOUT PROPER CERTIFICATION
15 U.S.C. 1681b(f)**

64. Plaintiff incorporates by reference all of the above paragraphs of this Complaint as fully stated herein.

65. Upon information and belief, shortly after July 2011, Defendants obtained and used Plaintiff's "consumer report", from a "consumer reporting agency," as defined by the Fair Credit Reporting Act, 15 U.S.C. 1681a without proper certification in violation of 15 U.S.C. 1681b(f) because Defendant certified to the consumer reporting agencies that they were obtaining the consumer report for a permissible purpose when Defendant actually obtained and used Plaintiff's consumer report for an unlawful purpose beyond the scope and priorities of section 604(A)-(F) of the Fair Credit Reporting Act (FCRA).

66. Defendant failed to establish reasonable procedures and willfully or grossly negligently acted in disregard to their statutory duties under, inter alia, section 604 of the FCRA. The foregoing acts and omissions of Defendants constitute numerous and multiple violations of the FCRA including, but not limited to, of the above-cited provisions of the FCRA, 15 U.S.C. § 1681 et seq., with respect to Plaintiff.

67. Defendants conduct was intentional or reckless because they failed to establish reasonable procedures, supervision and training to its employees with regard to their obligations under the FCRA; and Defendants intentionally or recklessly failed to comply with the FCRA when it obtained and used Plaintiff's consumer report in violation of section 604, actionable under 15 U.S.C.A. § 1681g, with civil sanctions available under 15 U.S.C.A. §§ 1681n or 1681o.

Accordingly, Plaintiff seeks, inter alia, statutory and punitive damages pursuant to Safeco Ins.

Co. v. Burr, No. 06-84, 2007 U.S. LEXIS 6963 (June 4, 2007) in view of Defendants' reckless disregard to their statutory duties.

68. One of the cardinal goals of the FCRA is to protect the accuracy of consumer reports for the reason inaccurate reports affect the banking industry, the consumer, and the macroeconomics of this Nation. If users of consumers reports adopt the habit of certifying inaccurate information to consumer reporting agencies, then other legitimate users of consumer reports will take action based on inaccurate and erroneous information. Thus, the aegis protection of the FCRA over the economy is damaged¹.
69. As a result of Defendants' violations of the FCRA, Plaintiff is entitled any actual damages and statutory damages sustained by the consumer as a result of the failure or pursuant to 15 U.S.C. § 1681n(a)(1)(a); punitive damages as the court may allow pursuant to 15 U.S.C. § 1681n(a)(2); and reasonable attorney's fees and costs pursuant to 15 U.S.C. § 1681n(a)(3), from Defendants herein.

COUNT V
ADVERSE ACTION" UNDER THE LAWS OF PUERTO RICO
PR ST T. 7 § 2031 et seq.

70. Plaintiff incorporates by reference all of the above paragraphs of this Complaint as fully stated herein.
71. Jurisdiction is hereby invoked under the doctrine of pendent jurisdiction.

¹ See: Congressional Testimony before the House Committee on Financial Services, "The Fair Credit Reporting Act: How it Functions for Consumers and the Economy," June 4, 2003, Proposed Amendments to the Federal Fair Credit Reporting Act, <http://financialservices.house.gov/media/pdf/060403lb.pdf>

72. Since July 2010 and in several instances, Defendants reported "adverse action" within the meaning of PR ST T. 7 § 2031 et seq.

73. Since July 2010 and in several instances, Defendants failed comply with the "adverse action" notification requirements under PR ST T. 7 § 2031 et seq with regard to the "adverse action" events described in the preceding paragraph.

74. As a result of Defendants' violations of the PR ST T. 7 § 2031 et seq. Plaintiff is statutory damages of ranging from \$1,000 to \$5,000 for *each* violation

DEMAND FOR JURY TRIAL

75. Plaintiff demands a trial by Jury.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff requests that this Court grant the following relief, jointly and severally, in his favor against Defendants:

- a) Statutory damages provided under the FDCPA, 15 U.S.C. 1692k;
- b) Attorneys' fees, litigation expenses and costs incurred in bringing this action;
- c) For an award of statutory damages pursuant to 15 U.S.C. § 1681n(a) or 15 U.S.C.A. § 1681o against Defendants and for Plaintiff.
- d) For an award of statutory damages pursuant to PR ST T. 7 § 2031 et seq.
- e) For an award of punitive damages as the court may allow pursuant to 15 U.S.C. § 1681n(a)(2) and PR ST T. 7 § 2031 et seq.
- f) Prejudgment interests pursuant to 15 U.S.C. § 1681n.
- g) For an award of costs of litigation and reasonable attorney's fees pursuant to 15 U.S.C. § 1681(a)(3) against Defendants and for Plaintiff; and

- h) A declaration that Defendants' negative reports concerning plaintiff and form collection letters, represented by the ones attached as *Exhibits I*, violate the FDCPA and FCRA; and
- i) Any other relief that this Court deems appropriate and just under the circumstances.

Dated: March 14, 2010.

By:  //

JOSE CARLOS VELEZ-COLON
jcvelezcolon@yahoo.com
FK 41 Calle Polaris
URB Irlanda Heights
Bayamon, PR 00956
Telephone: (787) 457-4434
In Pro Se

EX I


[your products](#) | [your account](#) | [help](#) | [logout](#)

welcome	credit report	score	security freeze	3-in-1 report	credit monitoring	debt analysis	learning center	savings source
---------	---------------	-------	-----------------	---------------	-------------------	---------------	-----------------	----------------

[transunion credit report](#) | [report an inaccuracy](#) | [consumer rights](#)

Personal Credit Report

JOSE CARLOS VELEZ COLON
Source: TransUnion

March 4, 2011
Available until April 3, 2011

Get Instant Message Updates About Your Credit Report

- Alerts you to possible fraud
- Sent to your desktop
- No need to check email

Free downloadable application
[Learn more >>](#)



High Debt?
Erase it Here



Capital One
Card Offers



Refinance!
GTLenders.com



[Display a printer friendly version](#)

[Found an inaccuracy? Click to learn about correcting](#)

Personal Information

Name: JOSE CARLOS VELEZ COLON

You have been on our files since 05/2003

SSN:
Date of Birth:

File Number: 234378941
Date issued: 03/04/2011

597-01-8429
11/1982

Telephone

457-4434

CURRENT ADDRESS

Address: PO BOX 142574
ARECIBO, PR 00614

Date Reported: 04/2006

PREVIOUS ADDRESSES

Address: 3600 S. LAS VEGAS BV.
LAS VEGAS, NV 89109

Date Reported: 03/2006

Address: PO BOX 6693
MAYAGUEZ, PR 00681

EMPLOYMENT DATA REPORTED

Employer Name: AGRONOMO
Date Verified: 05/2009

Employer Name: HIDROCULTIVOS JC
Date Reported: 03/2005

Employer Name: SE AGRICULTURA
Location: HATILLO, PR
Date Reported: 02/2005

Position:
Date Hired:

Position:
Date Hired:

Position: NEGOCIO PROPIO
Date Hired:

Special Notes: The display of your account numbers has been modified for your protection. Also if any item on your credit report begins with 'MED1', it includes medical information and the data following 'MED1' is not displayed to anyone but you except where permitted by law.

Account Information

The key to the right helps explain the payment history information contained in some of the accounts below. Not all accounts will contain payment history information, but some creditors report how you make payments each month in relation to your agreement with them.

NA	X	OK	30	30	90	120
Not Applicable	Unknown	Current	30 days late	60 days late	90 days late	120 days late

3/12

JS 44 (Rev. 12/07)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS
JOSE CARLOS VELEZ-COLON

DEFENDANTS
CREDIT PROTECTION ASSOCIATION I, INC

(b) County of Residence of First Listed Plaintiff _____
(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant _____
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

(c) Attorney's (Firm Name, Address, and Telephone Number)
FK 41 Calle Polaris - URB Irlanda Heights - Bayamon, PR 00956
-Telephone: (787) 457-4434. jcvelezcolon@yahoo.com

Attorneys (If Known)

RECEIVED
MAR 21 2011

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
☒ 3 Federal Question (U.S. Government Not a Party)
☐ 2 U.S. Government Defendant
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)
(For Diversity Cases Only)

- Citizen of This State ☐ 1 PTF DEF ☐ 1 CLERK, U.S. DISTRICT COURT, NORTHERN DISTRICT OF TEXAS
Citizen of Another State ☐ 2 ☐ 2 Incorporated and Principal Place of Business In Another State ☐ 5 ☐ 5
Citizen or Subject of a Foreign Country ☐ 3 ☐ 3 Foreign Nation ☐ 6 ☐ 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations & Disclosure Act <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input checked="" type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition		

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
☐ 2 Removed from State Court
☐ 3 Remanded from Appellate Court
☐ 4 Reinstated or Reopened
☐ 5 Transferred from another district (specify)
☐ 6 Multidistrict Litigation
☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
15 USC 1692

Brief description of cause:

Abusive, deceptive, unfair, and illegal collection practices

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23
DEMAND \$ **500,000.00**

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE _____

DOCKET NUMBER _____

DATE

03/14/2011

SIGNATURE OF ATTORNEY OF RECORD

[Signature]

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____